

all their employees at intervals of time of not more than six months, and if such examination discloses the fact that any person in their employment is infected with or affected by any infectious or contagious disease, that such person shall promptly be discharged from such employment; and further providing that all dishes, receptacles or other utensils used in eating or drinking, or for the conveyance of articles of food, shall be thoroughly cleansed and sterilized by heat or in boiling water since used by another person, and prohibiting the use of dishes, receptacles or other utensils that are cracked or broken in such a manner as to render their sterilization impossible or doubtful, and providing penalties for a violation of the provisions of this Act, repealing all laws in conflict, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed but printed in the Journal.

HALL, Chairman.

FORTY-FIRST DAY.

Senate Chamber,
Austin, Texas,
Monday, March 7, 1921.

The Senate met at 9:30 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Richards.
Cousins.	Rogers.
Darwin.	Suiter.
Davidson.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent—Excused.
Dorough. Harp.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

Excused.

Senator Harp for today, on motion of Senator McMillin.

See Appendix for committee reports.

Simple Resolution No. 73.

By Senator Carlock:

Be it resolved by the Senate that the House be requested to return to the Senate, House Bill No. 324, for further consideration by the Senate.

The resolution was read and adopted.

Morning call concluded.

Executive Session.

Senator Bailey moved that the Senate sit in executive session on Friday morning at 11 o'clock for purpose of considering the confirmation of notaries public.

Senator Bledsoe moved, as a substitute, that the executive session be made for Thursday in lieu of Friday.

Action being on the longest time first and the motion to designate Friday at 11 o'clock a. m. as the date, was adopted.

Senate Bill No. 267.

(Special Order.)

Action here recurred on the Special Order, and the Chair laid before the Senate,

S. B. No. 267, A bill to be entitled "An Act to direct the Prison Commission to sell the Texas State Railway in whole or in part; to make an appropriation for the general revenue to redeem bonds with accrued interest of the said railroad held by the permanent public free school fund against the railroad, and declaring an emergency."

The bill was read second time Saturday, March 5.

The question was on the amend-

ment by Senator Fairchild and the amendment to the amendment by Senator Page. (See proceedings on this bill on March 5, for the amendment and amendment to the amendment in full.)

Senate Bill No. 330.

Senator Parr asked unanimous consent to take up, at this time, Senate Bill No. 330, but there was objection, and Senator Parr then asked that the bill be made a special order immediately following the consideration of the bill under consideration at this time, but there was objection.

Senator Parr moved that Senate Bill No. 330 be made a special order immediately following conclusion of the consideration of the bill now under consideration and the motion was adopted.

Senate Bill No. 267.

Action then recurred on the amendment by Senator Page to the amendment by Senator Fairchild to Senate Bill No. 267.

Pending discussion, Senator Fairchild moved to table the amendment to the amendment, which motion to table was adopted by the following vote:

Yeas—16.

Bailey.	McMillin.
Bledsoe.	McNealus.
Clark.	Parr.
Cousins.	Richards.
Davidson.	Suiter.
Fairchild.	Watts.
Floyd.	Williams.
Hall.	Wood.

Nays—7.

Baugh.	Hertzberg.
Buchanan.	Page.
Carlock.	Rogers.
Dudley.	

Absent.

Lewis.	Woods.
Witt.	
Absent—Excused.	
Dorough.	Harp.
(Pair Recorded.)	

Senator Murphy (present), who

would vote "yea"; with Senator Darwin (absent), who would vote "nay."

Senator Page offered the following amendment to the amendment:

Amend the amendment, Section 4, page 812, by striking out the words "one hundred and fifty thousand dollars," and insert in lieu thereof the words "twenty-five thousand, to be used in the payment for repairs and operation from the date of the taking effect of this Act."

The amendment to the amendment was read.

Senator Clark moved to table the amendment to the amendment, which motion to table was lost by the following vote:

Yeas—10.

Bledsoe.	Fairchild.
Buchanan.	Murphy.
Clark.	Richards.
Cousins.	Watts.
Davidson.	Williams.

Nays—16.

Bailey.	McMillin.
Baugh.	McNealus.
Carlock.	Page.
Darwin.	Parr.
Dudley.	Rogers.
Floyd.	Suiter.
Hertzberg.	Wood.
Lewis.	Woods.

Absent.

Hall.	Witt.
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Absent—Excused.

Dorough.	Harp.
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The amendment to the amendment was adopted.

The amendment, as amended was then adopted.

Senator Fairchild offered the following amendment to the amendment which was read and adopted:

Amend the amendment at the end of Section 4, after the word "managers," by adding the following:

"And said Board of Managers shall have at their disposal for the purpose of improving and repairing said Texas Railroad, fifty able bodied convicts to be furnished by the Prison Commission of Texas, and to be used at any time during the first year of said management of said Texas Rail-

road by the Board of Managers, created by this bill."

Senator Carlock offered the following amendment to the amendment, which was read and adopted:

Amend the pending amendment to Senate Bill No. 267 by adding at the end of Section 4 the following:

"The Board of Managers are hereby directed to make report of their action in the premises to the next called session of the Thirty-seventh Legislature."

Senator Fairchild offered the following amendment which was read and adopted:

Amend Senate Bill No. 267. by striking out all before the enacting clause and insert the following:

"A bill to be entitled, An Act creating a Board of Managers for the Texas State Railroad, providing for the appointment, prescribing the duties of its members; directing the Prison Commission to transfer possession of the Texas State Railroad and all property to the Board of Managers herein created, authorizing the Board of Managers to sell or lease the Texas State Railroad, and providing for the disposition of the proceeds; authorizing said Board in the event it cannot sell said railroad to continue to operate and rehabilitate it, and making an appropriation therefor; providing for reports by said Board; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The amendment, as amended, was then adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Fairchild, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 267 put on its third reading and final passage by the following vote:

Yeas—25.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Clark.	Murphy.
Cousins.	Farr.
Davidson.	Richards.
Dudley.	Rogers.
Fairchild.	Suiter.
Floyd.	Watts.
Hall.	Williams.

48—Senate.

Witt.	Woods.
Wood.	

Nays—1.

Page.

Absent.

Carlock.	Darwin.
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Absent—Excused.

Dorough.	Harp.
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The bill was read third time and passed finally, by the following vote:

Yeas—22.

Bailey.	McMillin.
Baugh.	McNealus.
Bledsoe.	Parr.
Buchanan.	Richards.
Clark.	Rogers.
Cousins.	Suiter.
Davidson.	Watts.
Fairchild.	Williams.
Floyd.	Witt.
Hertzberg.	Wood.
Lewis.	Woods.

Nays—3.

Carlock.	Page.
Dudley.	

Absent.

Hall.

Absent—Excused.

Dorough.	Harp.
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(Pair Recorded.)

Senator Murphy (present), who would vote "yea"; with Senator Darwin (absent), who would vote "nay."

Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted

H. C. R. No. 35, Authorizing Speaker of House and President of Senate to erase their signatures from enrolled House Bill No. 324.

H. C. R. No. 34, Authorizing Penitentiary Investigating Committee to continue their investigation after adjournment of Legislature.

The House grants the request of

the Senate for return of House Bill No. 324.

The House has adopted
S. C. R. No. 20, Granting Judge Irwin T. Ward leave of absence from the State.

Respectfully submitted,
N. K. BROWN,
Chief Clerk House of Representatives.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 7, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted

S. C. R. No. 23, "Granting certain District Judges leaves of absence from the State," with an amendment.

S. C. R. No. 24, Granting Judge Ben M. Terrell leave of absence.

Respectfully submitted,
N. K. BROWN,
Chief Clerk House of Representatives.

Simple Resolution No. 74.

By Senator Hertzberg:

Whereas, The Hon. Enrique D. Ruiz, a distinguished citizen of the Republic of Mexico and Consul from the Republic of Mexico to the State of Texas, is a visitor in the State Capitol; therefore, be it

Resolved, That the Hon. Enrique D. Ruiz be invited to address the Senate of Texas.

Hertzberg, Page, Witt, Rogers.

The Resolution was read and adopted.

The Chair appointed Senators Hertzberg, Page and Witt as a committee to escort the visitor to the president's stand, who, after being introduced by Lieutenant Governor Davidson, addressed the Senate briefly.

Senate Concurrent Resolution No. 23.

The Chair laid before the Senate, Senate Concurrent Resolution No 23, with House amendments.

The House amendments were read and concurred in by the Senate.

House Concurrent Resolution No. 34.

The Chair laid before the Senate, House Concurrent Resolution No. 34, being a resolution to extend the time for the committee making investigation of the State Penitentiary.

The resolution was read and adopted.

House Concurrent Resolution No. 35.

The Chair laid before the Senate, H. C. R. No. 35, Authorizing the Speaker of the House and the President of the Senate to erase their signatures from the enrolled House Bill No. 324.

The resolution was read and adopted.

Senate Concurrent Resolution No. 25.

By Senator Suiter:

Whereas, The Interstate Commerce Commission has granted and authorized an enormous increase in all interstate freight and express rates on all railroads, and has enjoined the Attorney General of Texas, the citizens and all courts of Texas from in any way interfering with said rates so fixed by the Interstate Commerce Commission; and whereas, said freight rates are so high on all perishable freight, especially fruit and truck, as to prohibit the shipment of same, and when such freight is shipped the entire value of the same, in many instances, is consumed by the freight rate, thereby making said freight rates confiscatory and prohibitive, and entirely destroying the value of such crops; and

Whereas, The fields of South Texas are now literally covered with vegetables left to rot and waste while millions of consumers are prevented from purchasing the same because such exorbitant freight rates make shipping the same impossible; and

Whereas, The orchards and fields of the entire State will soon be overflowing with ripened fruit and vegetables, so much desired by those who cannot grow the same, and unless an immediate readjustment of freight, express and refrigeration rates shall be made, greatly reducing the charges against such freight, only disaster

can come to the farmers and orchardists of Texas and deprivation to the consumer who is anxious to purchase such products at a reasonable price, ultimately destroying, not only the farming and orchard interests of Texas, but the income to railroads as well; and

Whereas, It is almost impossible for the farmers and orchardists to have a hearing in the City of Washington and to present their claims there because of the long distance and great expense to them, and the intricate and difficult method of obtaining such a hearing. Now, therefore, be it

Resolved by the Senate, the House concurring, That the Interstate Commerce Commission be respectfully requested and strongly urged to grant a hearing to the farmers, and various organizations representing the farmers, including the East and West Texas Chamber of Commerce, as well as the managers of the railroads handling such freight, at an early date in the City of Dallas, Texas, at which hearing all data relative to the importance of a readjustment and reduction of freight, express and refrigeration rates on fruit and truck shipped from the various points in Texas shall be presented; that such hearing be set at an early date for the reason that such crops are now maturing and will rapidly mature, and unless such adjustment and reduction is made at an early date the entire value of such crop will be destroyed, except that which can be consumed at home; that the Secretary of the Senate forward to the Secretary of the Interstate Commerce Commission a copy of this resolution with request that such commission at once notify those interested of the date fixed for such hearing by publication, or in such other manner as such commission may deem proper.

The resolution was read and adopted.

House Bill No. 528.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

H. B. No. 528, A bill to be entitled "An Act to create a special and more

efficient road system for Collin County, in the State of Texas, and making county commissioners ex-officio road commissioners and prescribing their powers and duties as such, and providing for their compensation as such commissioners; and providing for the condemnation of lands and other property by said county for the purpose of laying out and establishing roads and for straightening, widening or draining any established road, and for the condemnation of any timber, earth or other material for the construction and maintenance of public roads, and to provide for compensation for the material used; and providing for the working of county convicts on the public roads and county farm and the purchase of supplies for such convicts, and the rewards for the capture of escaped convicts and for the commutation of sentences for faithful service and good behavior, and providing the powers and duties and liabilities of road overseers, and to provide for the summoning of road hands and teams for road work, and for the allowance of time for services of hands and teams on public roads and fixing the penalty for violation of same, and relieving them from the performance of such work by the payment of three (\$3.00) dollars, and providing that delinquent poll tax payers shall be liable for extra road duty of three days and providing for the manner of summoning and working of all persons liable for road duty on the public roads who have not paid such road tax or poll tax, and permitting substitution and payment of money in lieu of such service and to provide for the manner of training and maintaining hedges along the public roads and the punishment for failure to comply therewith, and for the allowance of extra time for road overseers, and to provide punishment for all who obstruct any drainway of any public road; and providing further, making this Act cumulative of the General Laws now in force and to repeal Chapter 84 of the Acts of the Thirty-sixth Legislature, being a special road law for Collin County, and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended, as to this bill.

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Rogers, the Constitutional rule requiring bills to

be read on three several days was suspended and House Bill No. 528 put on its third reading and final passage by the following vote:

Yeas—28.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Witt.
Hall.	Wood.
Hertzberg.	Woods.

Absent—Excused.

Dorough. Harp.

The bill was read third time and passed by the following vote:

Yeas—28.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Witt.
Hall.	Wood.
Hertzberg.	Woods.

Absent—Excused.

Dorough. Harp.

Recess.

On motion of Senator Clark the Senate, at 12:20 recessed until 3 o'clock today.

After Recess.

The Senate was called to order by Lieutenant Governor Davidson.

House Joint Resolution No. 8.

Senator Murphy called up the motion to reconsider the vote by which

the Senate refused to pass House Joint Resolution No. 8, which motion to reconsider had been spread on the Journal.

Senate Bill No. 330.

(Special Order.)

The Chair laid before the Senate, on second reading,

S. B. No. 330, A bill to be entitled "An Act to aid the City of Corpus Christi in the construction of a sea wall or break water so as to protect said city from calamitous overflow, by donating to said city all the State ad valorem taxes, collected on property and from persons in Jim Wells, Jim Hogg, Brooks, Kleberg, Willacy and Duval counties and by donating to said city all the State ad valorem taxes, collected on property and from persons in Nueces County not heretofore donated to the City of Corpus Christi by Act of the Thirty-fifth Legislature of Texas, known as House Bill No. 694 for a period of twenty-five years, and to provide a penalty for their misapplication, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment by the following vote:

Yeas—17.

Bailey.	Hall.
Baugh.	Lewis.
Bledsoe.	Murphy.
Clark.	Parr.
Darwin.	Richards.
Davidson.	Watts.
Dudley.	Williams.
Fairchild.	Wood.
Floyd.	

Nays—6.

Buchanan.	Rogers.
Carlock.	Suiter.
Cousins.	Woods.

Present—Not Voting.

McNealus.

Absent.

McMillin. Witt.

Absent—Excused.

Dorough. Harp.

(Pair Recorded.)

Senator Page (present), who would vote nay; with Senator Hertzberg (absent), who would vote yea.

Senator Parr moved that the constitutional rule requiring bills to be read on three several days be suspended and Senate Bill No. 330 be put on its third reading and final passage.

The motion was adopted by the following vote:

Yeas—22.

Bailey.	Lewis.
Baugh.	McNealus.
Bledsoe.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Witt.
Hall.	Wood.

Nays—3.

Carlock.	Woods.
Suiter.	

Present—Not Voting.

Buchanan.

Absent.

Hertzberg.	McMillin.
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Absent—Excused.

Dorough.	Harp.
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The bill was read third time and passed finally by the following vote:

Yeas—18.

Bailey.	Hall.
Baugh.	Hertzberg.
Bledsoe.	Lewis.
Clark.	Murphy.
Darwin.	Parr.
Davidson.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.

Nays—7.

Buchanan.	Rogers.
Carlock.	Suiter.
Cousins.	Woods.
Page.	

Present—Not Voting.

McNealus.

Absent.

McMillin.	Richards.
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Absent—Excused.

Dorough.	Harp.
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House Joint Resolution No. 8.

Senator Murphy called up the motion to reconsider the vote by which the Senate failed to pass House Joint Resolution No. 8, the motion to reconsider having been spread on the Journal.

Action recurred on the motion to reconsider the vote by which the resolution failed of passage, and the motion to reconsider was adopted by the following vote:

Yeas—15.

Cousins.	Rogers.
Davidson.	Suiter.
Fairchild.	Watts.
Floyd.	Williams.
Hertzberg.	Witt.
Lewis.	Wood.
McNealus.	Woods.
Murphy.	

Nays—10.

Bailey.	Darwin.
Baugh.	Dudley.
Buchanan.	Hall.
Carlock.	Page.
Clark.	Parr.

Present—Not Voting.

Bledsoe.

Absent.

McMillin.	Richards.
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Absent—Excused.

Dorough.	Harp.
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The Chair laid before the Senate, on third reading,

H. J. R. No. 8, Proposing an amendment to Section 50, of Article 3, of the Constitution of the State of Texas, so that hereafter the Legislature shall have power to give or lend the credit of the State for the purchase and improvement of rural and urban homes.

Action recurred on the resolution, and the same failed of passage by the following vote, a two-third vote being necessary:

Yeas—16.

Bledsoe.	McNealus.
Buchanan.	Murphy.
Cousins.	Rogers.
Davidson.	Suiter.
Fairchild.	Watts.
Floyd.	Witt.
Hertzberg.	Wood.
Lewis.	Woods.

Nays—10.

Bailey.	Hall.
Baugh.	McMillin.
Carlock.	Page.
Clark.	Parr.
Dudley.	Williams.

Absent.

Darwin.	Richards.
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Absent—Excused.

Dorough.	Harp.
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Senate Bill No. 343.

Senator Buchanan asked unanimous consent to take up Senate Bill No. 343, and there was objection, and

Senator Buchanan moved to suspend the regular order of business and that the Senate take up, out of its regular order, Senate Bill No. 343.

The motion was adopted by the following vote:

Yeas—24.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Cousins.	Richards.
Davidson.	Rogers.
Dudley.	Suiter.
Fairchild.	Watts.
Floyd.	Williams.
Hall.	Witt.
Hertzberg.	Wood.

Nays—3.

Clark.	Woods.
McNealus.	

Absent.

Darwin.

Absent—Excused.

Dorough.	Harp.
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The Chair laid before the Senate, on second reading,

S. B. No. 343, A bill to be entitled "An Act making an appropriation of Forty Thousand (\$40,000) Dollars to carry out the purpose of the appropriation made in Section 6 of Chapter 7 of the General Laws of the Second Called Session of the Thirty-fifth Legislature relative to a school at Ferguson State Farm in Madison County for the education and training of delinquent boys, to be named and known as the State Training School for Negro Boys, and declaring an emergency.

The committee report was adopted.

Senator Clark called for the reading of the bill in full. The bill was read in full.

The bill was read second time and failed of passage to engrossment, by the following vote:

Yeas—9.

Buchanan.	Richards.
Cousins.	Suiter.
Davidson.	Watts.
Floyd.	Witt.
Lewis.	

Nays—14.

Bailey.	Hertzberg.
Bledsoe.	McMillin.
Carlock.	McNealus.
Clark.	Page.
Darwin.	Parr.
Dudley.	Wood.
Fairchild.	Woods.

Absent.

Baugh.	Rogers.
Hall.	Williams.
Murphy.	

Absent—Excused.

Dorough.	Harp.
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Senate Bill No. 190.

The Chair laid before the Senate, on third reading,

S. B. No. 190, A bill to be entitled "An Act to amend Article 4694 of the Revised Civil Statutes of 1911, so as to give cause of action for actual damages where injuries resulting in death are caused by the negligence, or carelessness on any other person, firm municipal or other corporation association or receiver, their agents or servants; the liability of receivers

to exist in all cases where the person, firm, municipal or other corporation, or association would have been liable under this or any previous Act had there been no receiver, repealing all laws in conflict, and declaring an emergency."

The bill was read third time and passed finally.

Senate Bill No. 210.

The Chair laid before the Senate, on second reading,

S. B. No. 210, A bill to be entitled "An Act to amend Section 29, Chapter 118, General Laws of the Thirty-second Legislature, Regular Session, approved March 28th, 1911, as amended by Chapter 36, page 91, General Laws, Thirty-third Legislature, First Called Session, 1913, entitled 'An Act to authorize the Commissioners Courts of the several counties of Texas to create and establish drainage districts, to construct canals, drains and ditches, to make levees, improve streams and water courses, and make other improvements for the purpose of drainage, etc., and declaring an emergency,' the said Section relating to the execution of a bond by the county judge after registration of drainage bonds, payment of premium by drainage district if bond is executed by surety company, and providing for the compensation of the county judge for his services so that said Section shall hereafter read as herein set out and declaring an emergency."

The bill was read second time and laid on the table subject to call.

Senate Bill No. 191.

The Chair laid before the Senate, on third reading,

S. B. No. 191, A bill to be entitled "An Act to validate the authentication and acknowledgment of conveyances and other instruments where the notarial seal used by the officer taking the acknowledgment did not conform to the law in force when the acknowledgment was taken and declaring an emergency."

The bill was read third time and passed finally.

Senate Bill No. 279.

The Chair laid before the Senate, on third reading,

S. B. No. 279, A bill to be entitled "An Act making an appropriation to pay witness fees due and owing by the State to in-county witnesses incurred under S. B. No. 126, Chapter 150, Regular Session Thirty-third Legislature, and H. B. No. 13 First Called Session Thirty-third Legislature, Chapter 13, and declaring an emergency."

The bill was read third time, and, Senator Carlock offered the following amendment:

, Amend Senate Bill No. 279, by adding at the end of Section 1, the following:

Provided that no amount shall be paid for such fees in excess of the actual purchase price paid therefor, plus 6 per cent interest thereon from date of purchase in no case to exceed the amount of the original fees, when said fees have passed out of the hands of the original witness and such facts shall be evidenced by the sworn itemized statement of the holder of such fees.

The amendment was read and adopted by unanimous consent.

The bill was read third time and passed finally by the following vote:

Yeas—14.

Bailey.	Parr.
Cousins.	Richards.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Witt.
Hall.	Wood.
McNealus.	Woods.

Nays—10.

Bledsoe.	Hertzberg.
Buchanan.	Lewis.
Carlock.	McMillin.
Clark.	Page.
Darwin.	Rogers.

Absent.

Raugh.	Murphy.
Floyd.	Williams.

Absent—Excused.

Dorough.	Harp.
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Senate Bill No. 57.

Senator McMillin called from the table, and the Chair laid before the Senate, on second reading, Senate Bill No. 57.

Senator McMillin moved to substitute the consideration of House Bill No. 18, a bill on the same subject.

House Bill No. 18.

The Chair laid before the Senate, on second reading.

H. B. No. 18, A bill to be entitled "An Act abolishing the Markets and Warehouse Departments and the Weights and Measures Department and conferring all of the authority, powers, duties, functions, rights and liabilities of the Commissioner of Markets and Warehouses and of said Markets and Warehouse Department and Weights and Measures Department upon the Commissioner of Agriculture; abolishing the board, consisting of the Governor, Commissioner of Agriculture and the Commissioner of Insurance and Banking, created by Chapter 5, General Laws of the Second Called Session of the Thirty-third Legislature, and vesting the powers and duties of said board in the Commissioner of Agriculture; conferring the powers and duties of the Commissioner of Insurance and Banking, relative to warehouses upon the Commissioner of Agriculture, except such as are conferred by Chapter 3, General Laws, Second Called Session of the Thirty-third Legislature; conferring power and authority upon the Commissioner of Agriculture to administer the provisions of Chapter 5, General Laws, Second Called Session of the Thirty-third Legislature, Chapter 41, General Laws First Called Session of the Thirty-fifth Legislature, and Chapter 116 of the General Laws, Regular Session of the Thirty-sixth Legislature, or so much of said statutes as are in force; transferring the appropriations of the Markets and Warehouse Department and the Weights and Measures Department to the Commissioner of Agriculture, and declaring an emergency."

(Senator Lewis in the Chair.)

The bill was read second time and passed to a third reading by the following vote:

Yeas—14.

Bailey.	Darwin.
Baugh.	Davidson.

Fairchild.
Lewis.
McMillin.
Richards.
Rogers.

Sulter.
Watts.
Williams.
Witt.
Woods.

Nays—10.

Bledsoe.
Buchanan.
Carlock.
Clark.
Cousins.

Dudley.
Hall.
Hertzberg.
Page.
Wood.

Absent.

McNealus.

Absent—Excused.

Dorough.

(Pairs Recorded.)

Senator Murphy (present), who would vote "nay"; with Senator Harp (absent), who would vote "yea."

Senator Parr (present), who would vote "nay"; with Senator Floyd (absent), who would vote "yea."

On motion of Senator McMillin that the constitutional rule requiring bills to be read on three several days be suspended and House Bill No. 18 put on its third reading and final passage.

The motion was lost by the following vote, a four-fifth vote being necessary:

Yeas—20.

Bailey.
Baugh.
Cousins.
Darwin.
Davidson.
Dudley.
Fairchild.
Hertzberg.
Lewis.
McMillin.

Page.
Parr.
Richards.
Rogers.
Sulter.
Watts.
Williams.
Witt.
Wood.
Woods.

Nays—4.

Bledsoe.
Clark.

Hall.
Murphy.

Present—Not Voting.

Buchanan.
Carlock.

McNealus.

Absent.

Floyd.

Absent—Excused.

Dorough.

Harp.

(Lieutenant Governor Davidson in the Chair.)

Senate Concurrent Resolution No. 26.

By Senator Murphy:

Whereas, The three most important events in the military history of the Republic of Texas were the Alamo, Goliad and San Jacinto; and

Whereas, The State of Texas now has an historic painting of the Alamo and of San Jacinto but none of Goliad; and

Whereas, Col. A. J. Houston, formerly commander of the 4th Regiment of Infantry, Texas National Guard, has executed a small preliminary painting of Goliad entitled "The March To The Massacre"; and

Whereas, He asks a commission from the State authorizing him to execute a painting from the same to measure not less than six by twelve feet; and to cost not more than ten thousand dollars, to be appropriately framed and to be approved by such person as the Governor may select; therefore, be it

Resolved, by the Senate and the House concurring, That the said Col. A. J. Houston be and he is hereby commissioned to execute said painting as aforesaid.

The resolution was read and referred to Committee on Finance.

Senate Bill No. 131.

Senator Witt called from the table, and the Chair laid before the Senate, on second reading,

S. B. No. 131, A bill to be entitled "An Act to amend the laws in regard to the certification of teachers providing for the same powers of certification to all colleges on a basis of the same standards and courses of work, and for a distinction between certificates obtained by examination and those secured through college work, providing for a gradual raising of standards for teachers through a period of several years and for more adequate examination fees, adding to Sections 107, 108, 110, 110a, 110b, 110c, 110d, Chapter 96, Acts of the Thirty-second Legislature, as amended by Section 1, Chap-

ter 61, Acts of the Third Called Session of the Thirty-sixth Legislature, Sections 107a, 108a, 110e, repealing Sections 114, 116, 117, and 119 of Chapter 96, Acts of the Thirty-second Legislature, as amended by Section 1, Chapter 61, Acts of the Third Called Session of the Thirty-sixth Legislature, and providing a substitute therefor, repealing Section 121, Acts of the Thirty-second Legislature, and providing a substitute therefor, and amending Section 105 Chapter 96, Acts of the Thirty-second Legislature, and declaring an emergency."

There was a pending amendment by Senator Witt, and he withdrew the amendment.

Senator Witt offered the following two amendments, separately, which were read and adopted:

(1) Amend Senate Bill No. 131, page 15, line 11, of the printed bill, by striking out the words "previously issued," and insert in lieu thereof the words "issued prior to September 1, 1923, or affecting or limiting the rights and privileges of the holders thereof."

(2) Amend Senate Bill No. 131, Section 3, page 3, line 32, insert comma after the words "second class."

Section 5, page 7, line 26, strike out the words "Junior College."

Section 5, page 8, lines 4, 13 and 25, strike out the words "Junior College."

Section 6, page 12, line 28, strike out the words "Junior College."

Section 6, page 13, lines 3 and 18 strike out the words "Junior College"; line 23, strike out the word "Junior," and line 24 strike out the word "College."

The bill was read second time and passed to engrossment by the following vote:

Yeas—13.

Baugh.	Lewis.
Buchanan.	McMillin.
Carlock.	Page.
Cousins.	Witt.
Davidson.	Wood.
Fairchild.	Woods.
Floyd.	

Nays—10.

Bailey.	Darwin.
Bledsoe.	Hall.
Clark.	McNealus.

Murphy. Suiter.
Richards. Williams.

Present—Not Voting.

Dudley.
Absent—Excused.

Dorough. Harp.

(Pairs Recorded.)

Senator Watts (present), who would vote "nay"; with Senator Rogers (absent), who would vote "yea."

Senator Parr (present), who would vote "nay"; with Senator Hertzberg (absent), who would vote "yea."

Bills Signed.

The Chair, Lieutenant Governor Davidson, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 274, Hidalgo Independent School District.

S. C. R. No. 24, Granting Judge Terrell leave of absence from State.

S. C. R. No. 23, Granting Judge Baird leave of absence from the State.

S. C. R. No. 20, Granting Judge Ward leave of absence from the State.

Message from the House.

Hall of the House of Representatives,
Austin, Texas. March 7, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 154, A bill to be entitled "An Act to establish a branch of Agricultural and Mechanical College of Texas in that portion of Western Texas lying west of the ninety-eighth meridian and north of the thirtieth parallel; providing for the location of such college; its government and the control of its finances; defining leading objects and prescribing generally the nature and scope of instruction to be given; providing for the instruction of all students of such college in military science, and for the military discipline of all students; conferring upon the Board of Directors of said

college the right of eminent domain; making necessary appropriations for the location of said college; and declaring an emergency."

H. B. No. 7, A bill to be entitled "An Act to amend Sections 1, 2, 3, 4, 5, 6 and 7 of Chapter 7, of the General Laws of the Regular Session of the Thirty-third Legislature approved February 11, 1913; providing for the suspension of sentence in certain cases of conviction of a felony for first offense, upon recommendation of the jury; for the submission of the issue to the jury by the court; to provide the duration of the suspension of sentence; to provide for bond or recognizance and for reports to the court by the defendant; for pronouncing sentence after suspension thereof in case of final conviction of the defendant of any other felony or of the crime of theft of property of the value of under fifty dollars or of embezzlement of property of the value of under fifty dollars; for the cumulation of punishment in such cases; for the granting of a new trial after suspension, the dismissal of case in certain events after suspension; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 137, A bill to be entitled "An Act to amend Article 1614 of the Revised Civil Statutes of Texas of 1911, so as to permit the filing of typewritten briefs, and declaring an emergency."

H. B. No. 213, A bill to be entitled "An Act to regulate and make sanitary buildings and rooms used and occupied as a bakery, for the manufacture of bakery products; providing for pure and wholesome ingredients of bakery products, and the cleanliness of receptacles used in the handling of same; prohibiting the use of impure materials; fixing the weight of a loaf of bread; fixing a penalty for the violation of any provision thereof; and declaring an emergency."

With engrossed rider.

H. B. No. 240, A bill to be entitled "An Act to amend Chapter 143 of the General Laws of the State of Texas passed by the Thirty-third Legislature at the Regular Session thereof, being 'An Act to amend Article 4694 of the Revised Civil Statutes of 1911, giving cause of action where injuries resulting in death are caused by the negligence of a corporation, its agent or servants, and declaring an emergen-

cy'; by giving a cause of action for injuries resulting in death against any person, association of persons, joint stock company, corporation, his, its, or their owner, agents or servants, against the proprietor, owner, charterer or hirer of any industrial or public utility plant, railroad, street railway, steamboat, stage coach or other vehicle for the conveyance of goods or passengers, and against the receiver, or receivers, trustee or trustees, or other person or persons in charge or in control of any railroad, street railway, steamboat, stage coach, or other vehicle for the conveyance of goods or passengers, or any industrial plant public utility plant or other machinery, where such injuries result from the negligence of the persons, corporations, trustees or joint stock companies, their agents or servants; providing that no agreement between the owner of certain property and utility plant and the persons or trustees operating the same shall release such persons or trustees from liability under this Act; repealing all laws in conflict herewith; providing that the invalidity of any provision hereof shall not affect the remaining provisions, and declaring an emergency."

Respectfully submitted,
N. K. BROWN,
Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair (Lieutenant-Governor Davidson) had referred, after their captions had been read, the following bills:

H. B. No. 154, referred to Committee on Educational Affairs.

H. B. No. 7, referred to Committee on Criminal Jurisprudence.

H. B. No. 137, referred to Committee on Civil Jurisprudence.

H. B. No. 213, referred to Committee on Public Health.

H. B. No. 240, referred to Committee on State Affairs.

Adjournment.

On motion of Senator Bailey, the Senate, at 6 o'clock p. m., adjourned until 9:30 o'clock tomorrow morning.

APPENDIX.

Committee Reports.

Committee Room,
Austin, Texas, March 7, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 46, A bill to be entitled "An Act to provide for the fixing by the Legislature of the compensation of all employees of the State Highway Department, as is determined by the Legislature for other departments of the State government; and for determination by the Legislature of expenditures for and by the State Highway Department in accordance with the provisions of Chapter 190, General Laws, of the Regular Session of the Thirty-fifth Legislature, and Acts amendatory thereof; except as expenditures for compensation and other purposes may be expressly stipulated in and provided for, by the provisions of said Chapter 190 and Acts amendatory thereof, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass with the committee amendment and be printed in the Journal.

CARLOCK, Chairman.

Committee Room,
Austin, Texas, March 7, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 174, A bill to be entitled "An Act to amend Article 7138 Revised Civil Statutes of 1911 so as to provide for the appointment of deputy constable in justice precincts in which there is no city of eight thousand or more inhabitants, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal.

CARLOCK, Chairman.

Committee Room,
Austin, Texas, March 5, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Crim-

inal Jurisprudence, to whom was referred

H. B. No. 105, A bill to be entitled "An Act to amend Section 1, Chapter 68, of the General Laws of the Regular Session of the Thirty-fifth Legislature of the State of Texas, 1917, entitled 'An Act to amend Article 1143, Chapter 3, Title 15, of the Code of Criminal Procedure, as amended by Chapter 20, of the Acts of the State of Texas,' relating to the pay of jail guards and matrons, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and that it be not printed in bill form, but that it be printed in the Journal.

SUITER, Vice Chairman.

Committee Room,

Austin, Texas, March 5, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 275, A bill to be entitled "An Act to amend Article 634 of the Penal Code by adding two sections thereto defining an able-bodied person within the meaning of said article; and providing that a person who has the ability to hear and speak and who pretends that he is deprived of these faculties shall be punishable for vagrancy; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be not printed in bill form, but that it be printed in the Journal.

SUITER, Vice Chairman.

Committee Room,

Austin, Texas, March 5, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee of Criminal Jurisprudence, to whom was referred

S. B. No. 257, A bill to be entitled "An Act to amend Article 640b of the Penal Code of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate

with the recommendation that it do pass, and that it be not printed in bill form, but that it be printed in the Journal.

SUITER, Vice Chairman.

Committee Room,

Austin, Texas, March 5, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 239, A bill to be entitled "An Act to amend Chapter 12 of Title 26 of the Revised Civil Statutes of Texas of 1911, relating to the assessment of taxes in this State, by adding thereto Articles 7567a, 7567b, 7567c, 7567d, 7567e, 7567f, 7567g, 7567h, 7567i, 7567j, 7567k, so as to provide for the assessment of State and county poll taxes; also making it a misdemeanor for any person to refuse to answer, or to answer falsely, any question that may be propounded to such person by the tax-assessor, or deputy tax assessor, touching the liability of such person for the payment of a poll tax, and prescribing a penalty therefor, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, that it be not printed in bill form, but that it be printed in the Journal.

SUITER, Vice Chairman.

Committee Room.

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 230, A bill to be entitled "An Act authorizing any steam or electric interurban railway or chartered transportation car company or sleeping car company, or the receivers or lessees thereof, or the persons operating the same, or officers, agents or employees thereof, to grant free passes to any person who is now receiving, or may hereafter receive, a pension from the State of Texas under the provisions of Section 51 of Article 3 of the Constitution of the State of Texas; providing how proof of such fact may be made; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal.

CARLOCK, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 65, A bill to be entitled "An Act to amend Chapter 75, pages 140 and 141 of the General Laws of the Regular Session of the Thirty-fifth Legislature, which was an Act amending Articles 1521, 1522, 1543, 1544 and 1526 of Revised Civil Statutes of 1911, defining the original and appellate jurisdiction of the Supreme Court of Texas and regulating the practice therein,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BAILEY, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, a minority of your Committee on Civil Jurisprudence to whom was referred House Bill No. 65, beg leave to differ with the majority of the Committee, and report the same back to the Senate with the recommendation that it do pass and be not printed, but be printed in the Journal.

WOODS,
DAVIDSON.

Committee Room,

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 340, A bill to be entitled "An Act amending Article 303 of Chapter 2, Title 6, of the Revised Penal Code of 1911, relative to doing certain kinds of business on Sunday; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do

pass and be not printed, but be printed in the Journal.

HERTZBERG, Chairman.

Committee Room,

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 339, A bill to be entitled "An Act relative to motion pictures and motion picture shows and making it unlawful to exhibit or show certain kinds of motion pictures in this State; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal with committee amendments.

HERTZBERG, Chairman.

Committee Room,

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 58, A bill to be entitled "An Act to amend Article 325, Title 12, of the Revised Civil Statutes of 1911, so as to permit proceedings under said Article regardless of indictment, criminal prosecution or conviction for any of the matters therein named,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed, but be printed in the Journal.

BAILEY, Chairman.

Committee Room,

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 354, A bill to be entitled "An Act to make effective the provision of Section 59 of Article 16 of the Constitution of the State of Texas, with respect to conservation of the natural resources of the State, the same having been adopted as a constitutional amendment by a vote of the people in 1917; and amending Sections 1, 2 and 3 of Chapter 88,

General Laws, Thirty-fifth Legislature, so as more specifically to define the public waters of the State of Texas; and provide for their appropriation, diversion and use, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

BLEDSON, Chairman.

Committee Room,

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 216, A bill to be entitled "An Act to amend Article 3884 of the Revised Civil Statutes of Texas of 1911, so as to provide compensation for county attorneys for services rendered as district attorneys in those counties which constitute separate judicial districts, upon whom have been placed or conferred the duties of district attorneys in such judicial districts, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed, but be printed in the Journal.

BAILEY, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred House Bill No. 528, have had the same under consideration, and I have been instructed to report the bill back to the Senate with the recommendation that it be passed and be not printed.

McMillin, Chairman; Williams, Dudley, Woods, Davidson.

Committee Room,

Austin Texas, March 5, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 68. A bill to be entitled "An Act to amend Section 1. Chapter 16, being an Act of the Regular Session of the Thirty-fifth Legislature, 1917, as amended by Chapter 58, be-

ing an Act of the Regular Session of the Thirty-fifth Legislature, 1917, relating to the creation of a Juvenile Board within certain counties of the State, and prescribing the duties and powers of such board; etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be not printed.

SUITER, Vice Chairman.

Committee Room,

Austin Texas, March 5, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 109, A bill to be entitled "An Act to amend Chapter 57, of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-first Legislature, 1909, relating to the property used by the Court of Criminal Appeals of the State of Texas, providing for a clerk and deputy clerk and providing for compensation to be paid each, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SUITER, Vice Chairman.

Committee Room,

Austin Texas, March 5, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 484, A bill to be entitled "An Act creating the Vance Independent School District in Edwards and Real counties, Texas; defining its boundaries; providing for a Board of Trustees in said district, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin Texas, March 5, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 481, A bill to be entitled "An Act authorizing Briscoe County, Texas, or any political sub-division or defined district thereof to issue road bonds under the provision of the Gen-

eral Law; validating bonds elections heretofore held in certain defined political sub-divisions in said county; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin Texas, March 5, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred H. B. No. 518, A bill to be entitled "An Act creating the Santa Rosa Independent School District in Cameron County, Texas, and defining its boundaries; providing for a Board of Trustees, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin Texas, March 5, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred H. B. No. 521, A bill to be entitled "An Act creating the Bloomburg Independent School District in Cass County, Texas; defining its boundaries, providing for a Board of Trustees, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin Texas, March 5, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred H. B. No. 505, A bill to be entitled "An Act creating the Atlanta Independent School District commonly known as Common School District in Cass County, Texas; defining its borders, creating a Board of Trustees, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the

recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 5, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred H. B. No. 485, A bill to be entitled "An Act creating the Hackberry Independent School District in Edwards and Real counties, Texas; defining its boundaries; providing for a Board of Trustees in said district, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Report.

Austin, Texas, Feb 28, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 432, A bill to be entitled "An Act to amend Section 8, of Chapter 139, of the General Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Regular Session, and amended by the Thirty-sixth Legislature at its Second Called Session, Chapter 5, page 24, of the General Laws of the Thirty-sixth Legislature; changing the time of holding court in the various counties of the Forty-second Judicial District of Texas; abolishing the criminal jurisdiction of said district court in Stephens County and conferring said criminal jurisdiction upon the district court of the Ninetieth Judicial District of Texas; abolishing the office of Assistant District Attorney for Stephens County in the district courts of the Forty-second Judicial District and the Ninetieth Judicial District and creating the office of District Attorney in the district court of said Ninetieth Judicial District of Texas and providing the District Attorney of said district court for said Ninetieth Judicial District shall draw the same salary as now being drawn by said Assistant District Attorney; validating all process, writs and bonds issued or executed prior to the taking effect of this Act; repealing all laws and

parts of laws in conflict herewith, and creating an emergency."

Have had the same under consideration and I am instructed by the committee to report the same back to the Senate with the recommendation that it do pass and be not printed.

RICHARDS, Chairman.

Committee Room,

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 65, A bill to be entitled "An Act to amend Chapter 75, pages 140 and 141 of the General Laws of the Regular Session of the Thirty-fifth Legislature which was an Act amending Articles 1521, 1522, 1543 and 1526 of Revised Civil Statutes of 1911, defining the original and appellate jurisdiction of the Supreme Court of Texas and regulating the practice therein,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred

H. B. No. 189, A bill to be entitled "An Act to amend Article 1546 of Chapter 7, of the Revised Statutes, adopted at the Regular Session of the Thirty-second Legislature, 1911, entitled 'Proceedings in cases in the Supreme Court,'"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BAILEY, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

H. B. No. 25, A bill to be entitled

"An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99 of the General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10, of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, and Chapter 35, General Laws of the Thirty-sixth Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named, so as to including Bowie and Marion counties, and declaring an emergency,"

Have had the same under consideration, and beg to report same back to the Senate with the recommendation that it do pass and be not printed.

Clark, Chairman; Buchanan, Murphy, Williams, Bledsoe, Parr, Dudley.

Senate Chamber,

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 330 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

Senate Chamber,

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 267, carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

Senate Chamber,

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 282 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman

Senate Chamber,

Austin, Texas, March 7, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill

No. 279 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

Senate Chamber,
Austin, Texas, March 7, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 335 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

Senate Chamber,
Austin, Texas, March 7, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 167 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

Senate Chamber,
Austin, Texas, March 7, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 297 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

Senate Chamber,
Austin, Texas, March 7, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 166 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

Senate Chamber,
Austin, Texas, March 7, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 190 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

Senate Chamber,
Austin, Texas, March 7, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 319 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

FORTY-SECOND DAY.

Senate Chamber,
Austin, Texas,
Tuesday, March 8, 1921.

The Senate met at 9:30 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe.	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Suiter.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

Absent.

Page.

Absent—Excused.

Rogers.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

Excused.

Senator Rogers for today and balance of the week, on motion of Senator Murphy.

See Appendix for committee reports.

Bills and Resolutions.

(By Unanimous Consent.)

By Senator Floyd:

S. B. No. 345. A bill to be entitled "An Act to amend Chapter 87 of the Local and Special Laws as passed by the Thirty-sixth Legislature at its Regular Session, being an Act to create a more efficient road law for Delta County, by adding thereto a new section to be known as Section 33a, and to provide that the commissioners' court of Delta County, Texas, shall have the right to condemn all real estate necessary in laying